

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ASUS COMPUTER INTERNATIONAL,
Plaintiff,
v.
ROUND ROCK RESEARCH, LLC,
Defendant.

Case No. 12-cv-02099-JST

**ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

Re: ECF Nos. 122, 140

On November 12, 2013, the Court granted in part and denied in part Defendant and Counterclaim Plaintiff Round Rock Research, LLC's administrative motion to file under seal three exhibits attached to the parties' Joint Discovery Letter Brief filed October 29, 2013. ECF Nos. 135(Order), 121 (Letter Brief), 122 (Motion). The Court denied the motion to seal without prejudice with respect to Exhibits F and G — which were designated confidential by Plaintiff and Counterclaim Defendants ASUS Computer International and ASUSTek Computer, Inc. (collectively, "ASUS") — because Round Rock had not filed a proof of service concerning its motion to seal, and ASUS had not filed a declaration supporting sealing of those exhibits in compliance with Civil Local Rule 79-5.

Round Rock has since filed its proof of service establishing that ASUS was served with the relevant documents on October 29, 2013. ECF No. 136. ASUS subsequently filed a declaration supporting sealing of Exhibits F and G. ECF No. 140.

Exhibit F consists of ASUS's Responses to Round Rock's First Set of Interrogatories (Nos. 1–11). ASUS designated the responses "Highly Confidential — Attorneys' Eyes Only" pursuant to the protective order in this case and Local Patent Rule 2–2. The responses contain information concerning ASUS's suppliers, license agreements, and licensing negotiations between ASUS and Round Rock. According to the declaration filed by ASUS' counsel, the information is not

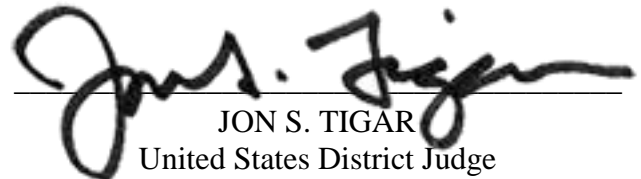
generally known or ascertainable by proper means, and disclosure of the information would harm ASUS and possibly Round Rock. Consequently, the Court finds that good cause exists to seal Exhibit F.

Exhibit G consists of excerpts from the Rule 30(b)(6) depositions of Yvette Wang and Wen-Bin Jian, taken October 16 and 17, 2013 in Taipei City, Taiwan. The deposition transcripts were designated “Highly Confidential — Attorneys’ Eyes Only” by ASUS pursuant to Local Patent Rule 2-2. The depositions contain information concerning the process ASUS uses in designing and testing its products, ASUS’ market research efforts, and ASUS’ selection of product specifications during the design process. The Court finds good cause exists to seal Exhibit G, as it contains trade secrets and highly sensitive business information.

In accordance with Civil Local Rule 79-5(f)(1), Exhibits F and G will remain under seal, and the parties need not take any further action.

IT IS SO ORDERED.

Dated: November 20, 2013


JON S. TIGAR
United States District Judge